

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20060117

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing and consider the adoption and execution of the proposed Ordinance repealing and replacing Lee County Ordinance No. 86-13, relating to moving expenses in hiring of County personnel.

2. WHAT ACTION ACCOMPLISHES: Allows the Board to formally adopt the Ordinance at a scheduled, advertised Public Hearing, updating the moving expenses revision and allows for amendment to the Personnel Policies & Procedures Manual relating to the same topic.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 5:00 PH I		5. Meeting Date: 02-28-2006
6. Agenda:	7. Requirement/Purpose: (specify)	8. Request Initiated:
<input type="checkbox"/> Consent	<input type="checkbox"/> Statute	Commissioner
<input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Ordinance 86-13	Department County Attorney
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	Division General Services
<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Other	By: Andrea R. Fraser
<input type="checkbox"/> Walk-On		Chief Assistant County Attorney

9. Background:

On June 4, 1986, the Board of County Commissioners adopted Lee County Ordinance No. 86-13, relating to the authorization to pay reasonable household moving expenses relating to the hiring of County personnel.

The "Moving Expenses" Policy will be updated in this round of Lee County's Personnel Policies and Procedures Manual revisions. In order for the changes to the "Moving Expenses" Policy to become effective the Ordinance must be revised.

ATTACHMENTS: Proposed Ordinance
F.A.I.S
Notice of Intent

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr
				2/2/06	RK 2/10	2/10/06	2/13/06	2/14/06

11. Commission Action:

Approved

Deferred

Denied

Other

RECEIVED BY COUNTY ADMIN:	<i>[Signature]</i>
2-10-06	
4:10	
COUNTY ADMIN FORWARDED TO:	<i>[Signature]</i>
	<i>[Signature]</i>

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE REPEALING AND REPLACING LEE COUNTY ORDINANCE NO. 86-13, RELATING TO HIRING OF COUNTY PERSONNEL; PROVIDING FOR SHORT TITLE; PROVIDING FOR AUTHORIZATION AND LIMITS TO PAY REASONABLE HOUSEHOLD EXPENSES; PROVIDING FOR REIMBURSEMENT; PROVIDING FOR CONFLICT; SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida is the governing body in and for Lee County; and,

WHEREAS, the Lee County Board of County Commissioners had previously adopted Ordinance No. 86-13, known as the Lee County Moving Expenses Ordinance; and,

WHEREAS, the Board of County Commissioners now desires to repeal and replace Lee County Ordinance No. 86-13.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION ONE: SHORT TITLE / REPEAL AND REPLACEMENT

- A. Lee County Moving Expenses Ordinance No. 86-13, is hereby repealed and replaced.
- B. This Ordinance will be known and cited as the Moving Expenses for Lee County Personnel.

SECTION TWO: AUTHORIZATION

As a condition of employment, the County Manager and the County Attorney, where applicable, are hereby authorized to approve reasonable and customary household moving expenses for highly qualified employees.

SECTION THREE: LIMIT OF PAYMENT

Household moving expenses payment shall be limited to the cost of packing and shipping of household goods constituting personal effects and property used or to be used in the employee's dwelling. Said payment shall be paid from the lowest of three (3) proposals made by bonded moving and storage companies.

SECTION FOUR: REQUIREMENT TO REIMBURSE

If the employee voluntarily leaves County employment within three (3) years of the date of initial hire, he or she shall be required to reimburse the County said household moving expenses paid employee pursuant to this Ordinance on a monthly pro-rated basis.

SECTION FIVE: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance or Statute, the most restrictive requirements shall apply.

SECTION SIX: SEVERABILITY

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided for. If any provisions of this Ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION SEVEN: CODIFICATION AND SCRIVENER'S ERRORS

The Lee County Board of County Commissioners intends that this Ordinance will be made part of the Lee County Code; and that sections of this Ordinance can be renumbered or relettered and the word "Ordinance" can be changed to "Section," "Article" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance can be renumbered or relettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the County Manager or his designee, without the need for public hearing.

SECTION EIGHT: EFFECTIVE DATE

This Ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to vote, the vote was as follows:

BOB JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
TAMMARA HALL	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2006.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney

LEE COUNTY, FLORIDA

FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT

PROPOSED COUNTY ORDINANCE:

NAME OF ORDINANCE: Repeal and Replace 86-13 - Moving Expenses

A. Statement of Purpose

In order to recruit qualified applicants to Lee County employment.

B. Narrative Summary of Ordinance (Several Sentence Summary)

On June 4, 1986 the Board of County Commissioners adopted Lee County Ordinance No. 86-13 relating to the authorization of paying reasonable household moving expenses relating to the hiring of County personnel. The Ordinance provided that the County Administrator and the County Attorney were authorized to approve reasonable and customary household moving expenses for executive, administrative and professional applicants who had accepted employment with Lee County.

C. Principal Division(s) or Department(s) Affected (List)

County Attorney
County Administrator
Payroll

**LEE COUNTY, FLORIDA
 FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT
 PROPOSED COUNTY ORDINANCE:
 Repeal and Replace 86-13 Moving Expenses**

II. Fiscal Impact on County Agencies/County Funds (This section to be completed by OBS).

A. What is estimated Demand? (Develop Indicators) N/A

B. What is estimated Workload? (Develop Indicators) N/A

C. What are estimated costs?

	1st Year \$'s		2nd Year \$'s	
	<u>Existing</u>	<u>New</u>	<u>Existing</u>	<u>New</u>
Personnel	N/A		N/A	
Fringe	N/A		N/A	
Operating	N/A		N/A	
Capital Outlay	N/A		N/A	
Total	N/A		N/A	

D. List the anticipated revenues to cover costs identified in II, C, above. If a fee is to be charged, answer the following:

1. What is the basis (rationale) for the fee? N/A
2. Do the anticipated fees cover the full cost of operation? If not, what percentage of the costs are covered? N/A

E. Give a brief narrative analysis of the information contained in II, A-D, above.

The proposed replacement ordinance concerning the payment of reasonable household moving expenses for new hires changes the eligibility standard from “executive, administrative or professional” employees to “highly qualified” employees. Minimal financial impact to the County.

LEE COUNTY
NOTICE OF INTENT TO ENACT A COUNTY ORDINANCE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the **28th** day of **February 2006**, at **5:00 o'clock p.m.**, in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider the enactment of a County Ordinance pursuant to Article VIII, Section 1, of the Florida Constitution and Chapter 125, Florida Statutes. The title of the proposed County Ordinance is as follows:

AN ORDINANCE REPEALING AND REPLACING LEE COUNTY ORDINANCE NO. 86-13, RELATING TO HIRING OF COUNTY PERSONNEL; PROVIDING FOR SHORT TITLE; PROVIDING FOR AUTHORIZATION AND LIMITS TO PAY REASONABLE HOUSEHOLD EXPENSES; PROVIDING FOR REIMBURSEMENT; PROVIDING FOR CONFLICT; SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE.

1. Copies of this Notice and the proposed Ordinance are on file in the Minutes Office of the Clerk of Courts of Lee County. The public may inspect or copy the proposed Ordinance during regular business hours at the Office of Public Resources. The Minutes Office and Public Resources are located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. Public Resources is located on the first floor and the Minutes Office is located on the second floor of the Courthouse Administration Building.
2. Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed Ordinance.

3. Anyone wishing to appeal the decision(s) made by the Board with respect to any matter considered at this meeting, will need a record of the proceedings for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

4. The Ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State, or as may be otherwise prescribed in the Ordinance.

5. If you have a disability that will require special assistance or accommodations for your attendance at the public hearing, please call the Lee County Division of Public Resources at 335-2269 for information.

PLEASE GOVERN YOURSELF ACCORDINGLY.

The text of this Notice is in conformance with Section 125.66, Florida Statutes (2004), and other relevant sections of Florida law.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Charlie Green, Ex-Officio Clerk
to the Board of County Commissioners
of Lee County, Florida

APPROVED AS TO FORM:

By: 
Office of the County Attorney

Ad Size: 2 x 5

Publishing Dates: **February 15, 2006**
 February 21, 2006